

# EXHIBIT O

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION

RELIASTAR LIFE INSURANCE  
COMPANY

Plaintiff,

v.

TRANG VU,  
P.T., a minor, and D.T., a minor,

Defendants.

§  
§  
§  
§  
§  
§  
§  
§  
§  
§  
§

Case No. 4:17-cv-02818

**AFFIDAVIT OF DAN-PHI V. NGUYEN**

STATE OF TEXAS §

§

COUNTY OF HARRIS §

BEFORE ME, the undersigned authority, this day, personally appeared DanPhi Nguyen, known to me to be the person whose name is subscribed to this instrument and having been duly sworn on his oath did depose and say as follows:

1. My name is Dan-Phi V. Nguyen. I am over the age of 18 years, have never been convicted of a felony, and am competent to make this affidavit. The statements in this affidavit are within my personal knowledge and are true and correct.
2. I am an attorney licensed to practice in the State of Texas. I am an Assistant County Attorney in the Harris County Attorney's Office and the prosecutor for the legal proceeding initiated by the Texas Department of Family Protective Services ("TDFPS"), styled *In the Interest of D.T. and P.T., Children*; Cause No. 2015-03795J; in the 314<sup>th</sup> Judicial District Court of Harris County, Texas (the "TDFPS Legal Proceeding").
3. I attended the Show Cause Hearing in the TDFPS Legal Proceeding on July 7, 2015. I observed that Tuyet Tran had a busted or bruised lip on the day of the hearing. She appeared extremely fearful of Milleni who I knew at the time to be her husband, Mr. Trang Vu, and my impression is that she wanted to escape from him.
4. After the murder of Tuyet Tran, I communicated with the Houston Police Department regarding the investigation of her death (Incident No. 941745-15). The homicide detective assigned to Tuyet Tran's case is Wendell Gilbert. To assist in the TDFPS Legal Proceeding, Mr. Gilbert provided certain documents to me as follows:

- a. Attached as Exhibit 1 to this affidavit, and labeled TRAN 1438–1463, is a true and correct copy of the Houston Police Department Incident Report for Incident No. 941745-15 as of March 10, 2016, that I received from Detective Gilbert.
  - b. Attached as Exhibit 2 to this affidavit, and labeled TRAN 1464–1467, is a true and correct copy of the Investigator’s Polygraph Report for Case No. 841745015 that I received from Detective Gilbert.
5. In addition, attached as Exhibit 3 to this affidavit, and labeled TRAN 1359–1360, is a true and correct copy of an email Trang Vu sent to me and others on July 8, 2015.
  6. I also attended the final trial of the TDFPS Legal Proceeding on June 23, 2016. Mr. Vu testified at this hearing, as well as Detective Wendell Gilbert. After a lunch break, and before Detective Gilbert completed his testimony, Mr. Vu duly executed an irrevocable affidavit of relinquishment of his parental rights over D.T. and P.T. in front two disinterested witnesses and a notary.

FURTHER AFFIANT SAYETH NOT.

  
Dan-Phi W. Nguyen

SWORN TO AND SUBSCRIBED before me on the 15 day of January  
2019.



  
Notary Public, State of Texas